

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Anthony G. Fisher
Hazel C. Fisher
Debtor(s)

Bankruptcy Case No.: 19-20796-CMB
Issued Per Apr. 29, 2019 Proceeding
Chapter: 13
Docket No.: 27 - 20
Concil. Conf.: October 3, 2019 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 25, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 3, 2019 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim of Gateway One Lending and Finance at Claim No. 8 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: May 6, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Anthony G. Fisher
 Hazel C. Fisher
 Debtors

Case No. 19-20796-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 49

Date Rcvd: May 06, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 08, 2019.

db/jdb
 cr +Anthony G. Fisher, Hazel C. Fisher, 513 Ocala Street, East Mc Keesport, PA 15035-1215
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15003439 +Affirm Inc, Affirm Incorporated, Po Box 720, San Francisco, CA 94104-0720
 15017905 +Affirm Loans, 633 Folsom Street, 7th Floor, San Francisco, CA 94107-3618
 15045788 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 15044785 Credit First NA, PO Box 818011, Cleveland, OH 44181-8011
 15003444 +Credit First National Association, Attn: Bankruptcy, Po Box 81315,
 Cleveland, OH 44181-0315
 15032438 ECMC, PO BOX 16408, St. Paul, MN 55116-0408
 15003446 +Eos Cca, Attn: Bankruptcy, 700 Longwater Dr, Norwell, MA 02061-1624
 15003447 +First National Bank, Attn: Bankruptcy, 1620 Dodge St Mailstop 4440, Omaha, NE 68197-0002
 15011785 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 15003448 +First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
 15025087 +Midland Credit Management, Inc. as agent for, Asset Acceptance LLC, Po Box 2036,
 Warren MI 48090-2036
 15003453 Paypal, PO box 5018, Port Deposit, MD 21904
 15003454 #+Paypal Credit MC, PO Box 105658, Atlanta, GA 30348-5658
 15003461 +U.S. Department of Education, Ecmc/Bankruptcy, Po Box 16408, Saint Paul, MN 55116-0408
 15041148 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15041149 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15003462 US Department of Education, National Payment Center, PO box 790336,
 Saint Louis, MO 63179-0336
 15003463 +US Department of Education, PO Box 5609, Greenville, TX 75403-5609
 15003464 +Usaa Federal Savings Bank, Attn: Bankruptcy, 10750 Mcdermott Freeway,
 San Antonio, TX 78288-1600
 15003465 +Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 15003466 +Wells Fargo Bank, PO Box 348750, Sacramento, CA 95834-8750

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com May 07 2019 03:06:47 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 07 2019 03:14:28
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15003440 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 07 2019 03:14:04 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15030090 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 07 2019 03:14:04
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15003441 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 07 2019 03:05:56 Comenity Bank/Giant Eagle,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15003442 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 07 2019 03:05:56
 Comenity Bank/Victoria Secret, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15003443 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 07 2019 03:05:56 Comenitycb/tigerd,
 Attn: Bankruptcy Dept, Po Box 18215, Columbus, OH 43218
 15003445 +E-mail/PDF: creditonebknofifications@resurgent.com May 07 2019 03:14:06 Credit One Bank,
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
 15032930 E-mail/Text: GOLF_STBankruptcy@gatewayonlending.com May 07 2019 03:05:38
 Gateway One Lending & Finance, LLC, 175 N Riverview Drive, Anaheim, CA 92808
 15003449 E-mail/Text: GOLF_STBankruptcy@gatewayonlending.com May 07 2019 03:05:38
 Gateway One Lending Finance, 160 N. Riverview Drive, Suite 100, Anaheim, CA 92808
 15003450 +E-mail/Text: bncnotices@becket-lee.com May 07 2019 03:05:44 Kohls/Capital One,
 Kohls Credit, Po Box 3120, Milwaukee, WI 53201-3120
 15041910 E-mail/PDF: resurgentbknofifications@resurgent.com May 07 2019 03:14:30 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15003451 +E-mail/Text: bkr@cardworks.com May 07 2019 03:05:31 Merrick Bank/CardWorks,
 Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
 15003452 +E-mail/Text: ext_ebn_inbox@navyfcu.org May 07 2019 03:06:56 Navy FCU,
 Attn: Bankruptcy, Po Box 3000, Merrifield, VA 22119-3000
 15017907 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 07 2019 03:14:28
 Portfolio Recovery Assoc. LLC, Re: Dicks Sporting Goods, 120 Corporate Blvd,
 Norfolk, PA 23502
 15040091 +E-mail/Text: JCAP_BNC_Notices@jcap.com May 07 2019 03:06:29 Premier Bankcard, LLC,
 Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
 15045518 E-mail/Text: bnc-quantum@quantum3group.com May 07 2019 03:05:58
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 15004209 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:23 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15003455 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:23 Synchrony Bank/Amazon,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 15003456 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:24 Synchrony Bank/Banana Republic,
 Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 49

Date Rcvd: May 06, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15003457 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:46 Synchrony Bank/Care Credit,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15003459 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:02 Synchrony Bank/Gap,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15003458 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:47 Synchrony Bank/Gap,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15003460 +E-mail/PDF: gecsedirecoverycorp.com May 07 2019 03:14:46 Synchrony Bank/Walmart,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15017904 +E-mail/Text: BankruptcyNotice@upmc.edu May 07 2019 03:06:41 UPMC, 200 Lothrop Street,
Pittsburgh, PA 15213-2536
15017906 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com May 07 2019 03:05:33
Verizon, PO Box 15124, Albany, NY 12212-5124

TOTAL: 26

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Lakeview Loan Servicing LLC

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 08, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 6, 2019 at the address(es) listed below:

Bryan P. Keenan on behalf of Joint Debtor Hazel C. Fisher keenan662@gmail.com,
melindap662@gmail.com
Bryan P. Keenan on behalf of Debtor Anthony G. Fisher keenan662@gmail.com,
melindap662@gmail.com
James Warmbrodt on behalf of Creditor Lakeview Loan Servicing LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 7